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SUBJECT: National Committee for arms control fails to disclose arms deals.

¶1. (SBU) On September 2, Poloff attended the Defence and Military Veterans committee meeting in Parliament where Minister of Justice and Constitutional Development, Jeff Radebe, briefed the committee on the National Conventional Arms Control Committee (NCACC). This was originally supposed to be a closed meeting and was opening to the public at the last minute after pressure on the Committee chair from the Democratic Alliance (DA). This is the first time in three years that the Committee has reported its activities openly in Parliament. The current NCACC was appointed on July 21, 2009 and Radebe said 12.6 billion rand of contracts have been approved since July. Radebe also said a detailed report of these contracts will be forthcoming. Minister of Police, Nathi Mthethwa and Minister of National Intelligence Dr. Siyabanga Cwele were also present in the meeting. Note. Not only is it unusual for one Minister to be present and brief a Committee in Parliament, it is very unusual for three Ministers to be present. End note.

¶2. (U) Background note: The NCACC is comprised of eight Ministers and three Deputy Ministers, chaired by Minister Radebe. The National Conventional Arms Control Act, of 2002, amended in 2008, regulates conventional arms trade in South Africa. Generally, the Act prohibits SA from selling arms to governments that violate and suppress human rights and fundamental freedoms. SA is prohibited from selling arms "likely to contribute to the escalation of regional military conflicts, endanger destabilizing military capabilities into a region or otherwise contribute to regional instability or that may be used for purposes other than the legitimate defence and security needs of the government of the country of import." End background note.

¶3. (SBU) Radebe briefed the committee as a result of DA MP David Maynier's allegations that South Africa is selling arms to rogue nations. In a press conference earlier last month, Maynier named possible weapons transactions involving countries with dubious human rights records, such as Libya, Syria, Venezuela, and North Korea. He also alleged pending arms deals of ammunition with Zimbabwe. During the course of the meeting in Parliament, Maynier noted that most of his allegations of dodgy deals happened before Radebe's tenure as Chair of the NCACC and Maynier congratulated Radebe on his refusal to export flight suits to Iran. Although Radebe did confirm some deals in 2008 to Sudan, Libya and Venezuela, among others, he refused to answer questions from Maynier about specific deals that may be pending with Syria and Zimbabwe and several other countries. Radebe refused to answer detailed questions from Maynier because he was only asked to report on how the NCACC operates and was not requested to provide information on every arms deal currently pending before the NCACC. Two members of the committee noted that it was inappropriate for Maynier to ask Radebe about specific countries he considers to be human rights violators because then it would become a shouting match with all MPs giving their views about which countries they believe to be violators of human rights, and both specifically mentioned their belief that the U.S. would fall into this category. Radebe ended by saying the NCACC would provide further details in either its quarterly or annual report.

¶4. (SBU) Comment. Many ANC MPs on the Defence committee believe

Maynier was out of line when he released this information publically. Nyamni Booi, Chair of the Defense and Military Veterans Qpublically. Nyamni Booi, Chair of the Defense and Military Veterans Committee, told Poloff that the ANC has hired a lawyer to investigate if Maynier is criminally liable for his actions. Because the NCACC is comprised of eight Ministers and three Deputy Ministers, who are all senior members of the ruling party, the ANC members of the Defense and Military Veterans committee are fiercely loyal to the members of the NCACC and are likely to support whatever stance the NCACC takes in direct supposition to their parliamentary mandate of oversight. End comment.